

REMARKS

Reconsideration of the application is respectfully requested. Applicant has attempted to address every objection and ground for rejection in the Office Action dated 14 March 2003, and believes that the claims as amended are in allowable form.

DRAWINGS

Formal drawings have been submitted in accordance with the examining attorney's requirements. Drawing Figs. 1-4 have been prepared with solid black lines. New Fig. 5 has been added to show an embodiment using a single shaft and will be submitted in final inked format pending approval of the examining attorney. No new matter has been added to the application.

CLAIM OBJECTIONS

Claim 15 has been amended to change "the at least towel" in line 5 to -- "the at least one towel".

CLAIM REJECTIONS 35 USC §112

Claims 3, 10 and 17 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3, 10 and 17 have been deleted.

CLAIM REJECTIONS 35 USC §103(a)

Claims 1-20 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,260,705 Montepiani et al. in view of U.S. Patent 5,111,934 Morin.

Applicant's invention is not taught, anticipated or made obvious by the Montepiani '705 patent alone or in combination with the Morin patent '931.

The Montepiani patent teaches a pouch of a heat shrinkable, gas barrier, thermoplastic film for packaging an item(s) that employs a specific manner of opening the pouch. Specifically, Montepiani teaches a:

pouch or bag comprising a closed bottom (2), two closed side edges (3) and (4) and an open mouth (5) for the introduction of the items to be packaged, said pouch or bag being characterized in that it comprises a seal (6) along a line, in-between the bottom (2) and the mouth (5), connecting the two side edges (3) and (4), said seal (6) defining with the closed bottom (2) and part of the side edges (3') and (4') a closed, airtight area (7) and in that it further comprises another seal (8) extending from the closed bottom (2) toward the closed, airtight area (7) and a precut (9) made in the area delimited by the bottom (2) and the seal (8).

See Montepiani, Col. 2, Lines 51-62. Morin discloses a towel that is loosely contained in a compartment having a considerable amount of extra open space surrounding the towel. There is no suggestion in Morin that the towel should be compacted within its storage space. Moreover, the dual compartment packaging design in Morin teaches away from removing the air and compacting the towel in the compartment. As such, Montepiani in view of Morin does not teach nor make obvious applicant's invention.

Applicant's amended claims are directed to a compact towel in a package that is sealed completely around the entire perimeter of the package and that employs one of a number of different ways to open the package. Neither Montepiani nor Morin teach this nor the combination.

Independent claims 1, 8 and 15 have been amended to distinguish over Montepiani in view of Morin and applicant respectfully requests allowance of claims 1, 8 and 15. Further, claims 2, 7, 9, 14 and 16 depend from and contain all the limitations of claims 1, 8 or 15, therefore applicant respectfully submits that these claims are in condition for allowance. Claims 3-6, 10-13, and 17-20 have been cancelled.

The art made of record by the Examiner but not relied upon has been reviewed by applicant and is believed not to anticipate or render obvious any claims in the application.

Applicant respectfully submits that the present application, in light of the amendments and the remarks, is in a condition for allowance, and such action is earnestly solicited. Should the Examiner determine that there are outstanding issues which may be readily resolved through a telephone interview, the Examiner is invited to contact applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

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12 September 2003
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